

## AHEARN AGAIN HAS A VOICE IN CITY'S AFFAIRS

Borough President Sits as a Member of the Board of Estimate.

HIS VOTE RECORDED.

Mayor Takes Action in Accordance with Corporation Counsel's Opinion.

Borough President John F. Ahearn was admitted to a seat in the Board of Estimate to-day, and his vote was recorded on all matters which went to a vote.

Mayor McClellan paved the way for the reseat of the Borough President when he recently asked an opinion from the Corporation Counsel regarding the legality of having Ahearn vote on board matters requiring unanimous consent for adoption. The Corporation Counsel decided that Ahearn must be recognized until the quo warranto proceedings instituted against him by the Attorney-General are decided. Ahearn, the Corporation Counsel holds, is Borough President de facto, and as such his vote may be recorded as a member of the Board of Estimate.

By ousting Borough President Ahearn from the Board, the Mayor tied up all issues of revenue bonds and other matters of city government and improvement requiring unanimous vote. These matters would remain at a standstill indefinitely or pending the long drawn-out quo warranto proceedings with Ahearn out of the Board.

Ahearn Knew About It. Ahearn knew what was coming in advance, for he had taken his seat before the Mayor made the following statement:

"At the last meeting of the Board of Estimate and Apportionment, the Chair ruled that, in his opinion, the election of John F. Ahearn by the Aldermen representing the borough of Manhattan to fill the vacancy in the office of the President of the Borough of Manhattan was contrary to the intent of the law and that therefore such vacancy still existed, and directed the clerk not to call the President of the Borough of Manhattan."

"Since that time it has been determined by the proper authorities that the alleged title of John F. Ahearn to the office of the President of the Borough of Manhattan should be tested by an action in the nature of quo warranto, and the Attorney-General of the State has accordingly commenced such an action against him in the name of the State."

In view of this situation, and also in view of the fact that no special revenue bonds can be authorized to defray the necessary expenses of the city government except by unanimous vote of all the members of the Board of Estimate and Apportionment, I felt it my duty to ask the Corporation Counsel for an opinion as to my proper course of action in this matter."

Best for City, He Said. Reviewing the action of the Attorney-General against Ahearn, the Corporation Counsel, in his opinion, says:

"It appears, therefore, from the papers in said action, and otherwise, that the said John F. Ahearn is a matter of fact holds now the said office and assumes to and does perform the duties thereof, and is the de facto Borough President. As such his acts are binding and effective irrespective of the question as to whether he is such president de jure."

"It further appears that there are many matters pending before the Board of Estimate and Apportionment and likely to be brought on before the Board involving the issue of special revenue bonds for the purpose of defraying necessary expenses of the city government not otherwise provided for, which can only be issued when authorized by the affirmative vote of all the members of the board."

"The disposition of the matter in the suit brought by the Attorney-General will probably require some time, and until final judgment in such action Mr. Ahearn will doubtless continue as de facto President."

"Under these circumstances, I am of the opinion, irrespective of any personal views as to the validity of his claim to office, and without in any way conceding his legal title thereto, that the orderly conduct of the city's business now imperatively requires that his acts as such de facto President be recognized."

**Bonwit,  
Harris  
& Co.**

HAVE SPECIALLY ARRANGED

Men's Overcoats  
Men's Suits  
Men's Cravenettes

Values up to \$30.00

## JURY DECLARES DR. DUNLOP IS INCOMPETENT

Trustees Will Be Appointed to Care for Rich Physician's Property.

EXAMINED BY EXPERTS.

Alienists Testified That Aged Man Was a Hopeless Paretic.

A jury in the Supreme Court to-day declared Dr. Clark W. Dunlop, who is eighty years old and the uncle of twenty-two nephews and nieces, incompetent to manage the affairs of his \$600,000 estate. The case was heard before Justice Traux.

In obedience to the justice's orders, Mrs. Dunlop, wife of the incompetent, who is seventy-three years old, brought a big bundle of books to the tribunal, showing her accounts as manager of her husband's business affairs. The jury was chiefly influenced in its decision by the reports of Drs. W. N. Noves and J. E. Couch, insanity experts, who had been sent by Justice Traux to the sanatorium where Dunlop was confined to investigate his condition.

A motion will now be made for the appointment of trustees to manage the estate. Dr. Dunlop has been for several months an inmate of the Hilgert Institute, at No. 31 West Twenty-sixth street, kept by Matthew Hilgert, the "mad doctor" man. One of the allegations made by the wife of Lawyer Gilbert Ray Hawes, one of the nieces who instituted this inquiry, is that Mrs. Dunlop is flirting with Hilgert, and that Hilgert has boasted that he is going to marry her after Dr. Dunlop's death.

Hilgert at the Trial. Hilgert, during the proceedings, has been in court, sitting close behind Mrs. Dunlop. Dr. William Bradford Noves, of No. 210 West Fifty-seventh street, testified that in obedience to the order of Justice Traux he visited Dr. Dunlop at his Eighty-sixth street home last night and again to-day. He said he applied several familiar tests.

"Last night when I directed Dr. Dunlop to raise his right hand and touch the end of his nose, he rubbed his fully two inches," Dr. Noves testified. "He was made pale by the application of talcum powder. His mustache had been freshly waxed. His dark gray hair was neatly arranged and he wore a pale blue dressing gown. He was emaciated and feeble, but extraordinary preparations had apparently been made for my reception."

"He could squeeze my hand and his vision was good. He laughed in a silly way, but was very irritable and broke into a torrent of invective because his wife was slow in placing his eye glasses on his nose. He replied 'Chicago' when asked 'where is Chicago?' he replied: 'Thirty years.' Once he said: 'I am on the banks of the old Mississippi.'"

"Where are you?" I asked again, and he replied: 'I think in Jerusalem.' I showed him pictures in a child's toy book. When he saw the picture of a hen he exclaimed: 'cock-a-doo' and 'caw.' When shown a picture of a duck he said it was 'a dancer on the stage.'"

"In my opinion he is a hopeless paretic," declared Dr. Bradford.

TO SUE DOCTOR FOR \$10,000.

20-Year-Old Girl Wants Father Made Guardian for the Purpose.

Saying that she is about to sue Dr. Stanley O. Sael, of No. 117 West Fifty-eighth street, for \$10,000 damages for an alleged vicious assault upon her while he was attending her professionally, Florence Burns, who was twenty years old on Aug. 3, applied to Justice Davis in the Supreme Court to-day, through Gillette & Clark, for the appointment of her father, Samuel G. Burns, as her guardian and item to bring the suit.

Mrs. Burns lives with her father at No. 183 Amsterdam avenue. She sets forth in her affidavit that the alleged "vicious assault" occurred on Dec. 4.

TORPEDO-BOAT FLOTILLA REACHES PERAMBUCO.

WASHINGTON, Jan. 10.—A despatch received at the Navy Department to-day announces the arrival at Pernambuco, Brazil, of the torpedo-boat destroyer flotilla now on its way to the Pacific Coast.

The battle-ship fleet was sighted at Pernambuco two days ago on its way to Rio Janeiro, where it is expected to arrive to-morrow.

## SOUGHT DEATH OF RIVAL; GETS LONG TERM IN PRISON

Giannone Coveted Favata's Wife and Business and Hired Man to Slay Him.

Pietro Giannone, who formerly had a photograph studio at No. 73 Mulberry street, was sentenced to not more than twenty-four years and six months and not less than fourteen years and six months' imprisonment at Sing Sing with hard labor by Judge Warren W. Foster in Part IV. of General Sessions to-day.

Giannone was convicted of hiring a fellow countryman to slay Luigi Favata, also a Mulberry street photographer.

According to a confession made to the police by Bruno Cardia, he had been hired by his friend Pietro to rid him of his rival in business. Furthermore, Giannone had fallen in love with Favata's wife, and felt that if he made her a widow he might win her hand and incidentally take over his rival's business, which had grown at the expense of his own. In sentencing the man Judge Foster said:

"The facts in this case show that you became desirous not only to possess this man's business, but his wife as well. You hired an ex-convict and member of the Black Hand to do your dirty work, and that you failed to accomplish a murder was not your fault. I feel fully justified in giving you the extreme penalty for the crime of attempted assassination."

Assistant District Attorney Hart prosecuted the man photographer, and after the sentence, as he left the courtroom, one of a group of the convict's friends attacked him, attempting to strike him with his fists. Before the police could get the man he was seized by his friends and thrown bodily down a flight of stairs. In the confusion that followed he escaped.

STRUCK JURY TO HEAR THE MAYORALTY SUIT.

But Prospect of Early Trial Is No Brighter Than It Was Two Years Ago.

Mayor McClellan has won his application for a struck jury to try the action brought by Attorney-General Jackson in behalf of William R. Hearst to oust him from the Mayor's chair and seat Justice Davis in granting the struck jury said:

"I doubt that it would be possible to get an impartial jury by the ordinary method, certainly not within a reasonable time. From every consideration of public policy and from a due regard for the rights of all the parties, I think this motion for a struck jury should be granted."

The case is on the calendar for trial within the month, but Clarence J. Shearn, Mr. Hearst's personal counsel, who was appointed by Attorney-General Jackson as special counsel, has intimated that he would appeal from any order granting a struck jury, and Eugene Lamb Richards, counsel for Mayor McClellan, has already filed a notice of appeal from Justice Davis's order denying a further bill of particulars. The prospect of a trial is not much brighter than it was two years ago.

**Hackett, Carhart & Co.**

Broadway at Thirteenth Street

## A Skirt Triumph

The sale of the famous "Hangwell" Skirts goes irresistibly on—the original purchase numbered up in the thousands, too many to dispose of since Tuesday. The balance are placed on sale now.

**\$3 \$5 \$7**

Regular prices \$5 to \$20

All Fabrics All Colors All Models

All Waists All Lengths Extra Sizes

## A Day For Girls

To effect a quick clearance we have gathered together several hundred girls' coats and dresses, and divided them into two price groups. The reductions are great enough to send them all out by the end of the week.

**\$3.75 \$7.00**

Regular prices \$7.50 to \$15

Sizes 6 to 14  
Jumper Dresses  
Serge Dresses  
Mohair Dresses  
Panama Dresses  
Plaid Dresses  
Sailor Suits

Sizes 3 to 16.

Flannel Lined Coats

Velvet Trim Coats

Mannish Model Coats

Kersey Cloth Coats

Fin Broadcloth Coats

Fur Collar Coats

A General Clearance Is in Progress in Suits, Coats, Gowns, Dresses and Furs.

## SCORE SQUEEZED OFF PLATFORM OF CROWDED CAR

Pressure Broke Down Guard Gate and Spilled Them in a Heap on the Street.

People who ride on the subway and the L. lines in the rush hours and think they are crowded should observe the Fourteenth street cross-town cars and get an idea of what a real jam on a street car is. These cars cross the Williamsburg Bridge and carry more people per car than any other line in the city.

Car No. 1538 from Williamsburg, west bound through Fourteenth street in the morning rush hours to-day, was absolutely packed. There were boys hanging to the outside of the railing of the front platform, the motorman was so hemmed in that he could scarcely move his arms, and passengers were piled on the back platform like flies on a lump of sugar in a seaside restaurant.

At Second avenue the guard gate on the inner side of the rear platform caved outward from the pressure against it. Fully twenty men and boys and several young women were

thrown to the pavement.

Harry Somborg, eighteen years old, of No. 136 Lewis street, and Elias Peltz, of No. 88 Sheriff street, who had wormed their way onto the back platform as the car was passing through Union street, landed on the street under everybody else. When the score on top of them had scrambled away they were found to be unconscious.

Both were taken to Bellevue Hospital. Peltz was not badly hurt, but Somborg sustained internal injuries that may take a serious turn.

Traffic on the Fourteenth street line was delayed for three-quarters of an hour.

PASSES BOTH DIVIDENDS.

Cripple Creek Central Railroad Assets Tied Up by Failure.

At a meeting of the directors of the Cripple Creek Central Railway Company, held to-day, it was decided to pass the dividends on both the common and preferred stock of the company. The action was largely due to the fact that the cash assets are involved in the recent failure of Kessler & Co., who had offices at No. 54 Wall street, a banking house that was interested in the company.

The railway company has been paying annual dividends of two per cent on the common stock and four on the preferred stock.

AT \$6.75

Norfolk and double breasted Suits. Single and double breasted Overcoats.

Former Prices up to \$12.50

AT \$3.75

Norfolk & double breasted Suits. Sizes 3 to 17 years.

Sailor and Russian Suits. Sizes 2 1/2 to 11 years.

Former prices up to \$7.50

Russian & Reefer Overcoats to close out at

**\$5 and 7.50**

Former prices up to \$12.50

thrown to the pavement.

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## Franklin Simon & Co.

Fifth Avenue—37th-38th Streets

FOR SATURDAY

## Large Price Reductions

## Boys', Girls' and Misses'

## High Class Winter Apparel

### Boys' Clothing

Sailor and Russian Suits 3 to 10 years. Heretofore \$6.75 to \$7.75.... **3.75**

Norfolk and Double Breasted Suits 8 to 17 years. Heretofore \$7.50 to \$9.75.... **4.50**

Smart Overcoats 3 to 10 years. Heretofore \$9.75.... **4.50**

Imported Chinchilla Overcoats 3 to 10 years. Heretofore \$12.50 to \$14.50.... **8.50**

Large Boys' Overcoats 8 to 16 years. Heretofore \$12.75.... **7.50**

Custom Tailored Suits Including extra pair of Knickerbockers: Norfolk and double breasted model, of imported fabrics; 8 to 17 years. Heretofore \$12.75 to \$15.75.... **9.75**

### Misses' and Girls' Coats

High class fabrics, superior tailoring.

Rich Caracul Cloth Coats Full length coats, superior satin linings; 6 to 16 years. Heretofore \$14.50.... **13.75**

Handsome Broadcloth Coats Trimmed with caracul cloth, satin lined and wool interlined; 4 to 16 years. Heretofore \$29.50.... **12.50**

Navy Blue Military Coats Full length model, lined with red flannel, adjustable hood; 4 to 14 years. Heretofore \$15.00.... **7.50**

WILL CLOSE OUT SATURDAY

122 Women's Street and Evening Dresses

Princess and two-piece models, of Broadcloth, Voile, Henrietta and Silk.

**14.50 22.50**

Heretofore \$29.50 to \$49.50.

## B. Altman & Co.

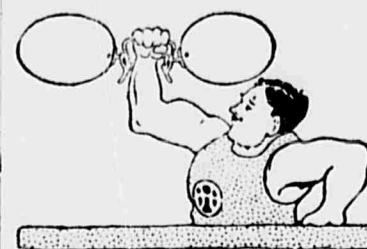
ANNOUNCE ADDITIONAL LINES OF

SPRING DRESS SILKS

IN PRINTED FOULARDS, ROUGH PONGEES AND RAJAHS, SHOWING NEW SHADES FOR THE COMING SEASON.

34th Street, 35th Street and 5th Avenue.

A Boileau Girl Art Calendar for 1908, in ten colors, distributed with The Sunday World on Jan. 12 and 19. Greater New York only. Get the set. Prettiest Art Calendar of the year.



It's Not So Easy

to properly fit glasses, as the department store salesman would have you believe.

It takes years of close study and special training, and no one but a physician—a graduate oculist—has the moral right to advise or prescribe for those most delicate organs of your body—your eyes.

Eyeglasses, if needed, from \$1.00 up.

**M. H. Harris**

OCULISTS AND OPTICIAN.

54 East 23rd St., near Fourth Ave.

54 West 125th St., near Lenox Ave.

442 Columbus Ave., 61 & 62 St.

489 Fulton St., B'klyn., Opp. A. & S.

**The Wanamaker Store**  
Store Closes at 5.30 P. M.  
**Wanamaker Economy Basement**  
Sub-Station Store, Old Building  
Saturday's Offerings—Not on Sale Today

## Muslin Underwear of Merit At Wonderfully Low Prices

Customers are recognizing the many merits and the practical economies that mark the offerings of undermuslins in the Economy Basement Store, and are making the White Sale a veritable triumph; but as fast as garments move out at their call, new, fresh ones take their places, so you will find today's assortment full and varied. Here are some hints:

**CAMBRIC NIGHTGOWNS**—At 50c—Chemise style, lace trimmed. At 75c—Round neck, trimmed with embroidery and ribbon. At 75c—With round yoke of lace, trimmed with embroidery and ribbon. At 81c—With round yoke, trimmed with lace or embroidery.

**CORSET COVERS**—At 25c—Cambric, trimmed with embroidery or lace. At 50c—Of nainsook, round neck, trimmed with lace or embroidery.

**CAMBRIC DRAWERS**—At 25c—With plaited ruffle. **SHORT CAMBRIC PETTICOATS**—At 25c—With hemmed ruffle.

**FRENCH LINGERIE**—At \$1.50 and \$1.75—Nightgowns of French pattern, with hand embroidered scalloped eyelets, run with ribbon. At \$1—Chemises of French pattern, two styles; hand embroidered, finished with ribbon. At \$1—Drawers of French pattern, two styles; some hand embroidered.

**LAWN DRESSING SACKS**—At \$1.25—Petticoats of French pattern, deep flounce, finished with hand embroidered edge. At \$1.25—Infants' Coats of extra-large or plain cloth, in red, navy, blue or brown. Sizes 2 to 6 years.

**WASH PETTICOATS**—At 35c—Of striped gingham, with flounce. **WHITE LAWN SHIRT WAISTS**—At 75c—Yoke and the plait and lace insertions. At \$1.25—With lace insertion and fine plait, plaited back, short sleeves.

**SILK WAISTS**—At \$1—Of taffeta or silk, dark colors, yoke effect. At \$1.25—Trimmed with Cluny lace insertion.

**CHILDREN'S GARMENTS**—At 10c—Plaited Drawers, with hemmed hem. Sizes for 2 to 12 years. At 15c—Plaited Drawers, hemmed ruffle. Sizes for 2 to 4 years. At 25c—Drawers with ruffle, hemmed hem. Sizes for 2 to 4 years. At 25c—Children's Skirts, plaited waist, lace edge. Sizes for 2 to 10 years. At 25c—Infants' Yoke Dresses, 6 to 12 months. Sizes for 1 to 4 years. At 35c—Children's Gimpie Dresses, of Chambray. Sizes for 2 to 4 years. At 50c—Children's Russian and Waist Dresses of colored chambray or gingham, trimmed with wash braid. Sizes for 2 to 6 years. At \$1.25—Coats of extra-large or plain cloth, in red, navy, blue or brown. Sizes 2 to 6 years.

**Plain and Fancy Silk Samples** In One-Quarter to Three-Quarter Yard Lengths. Suitable for fancy work, neckwear and dress trimmings. Prices 10c, 15c, 25c and 35c a length.

**Men's Wear at Special Prices** A. 50c—Men's Fancy Madras Shirts. In black and white, negligee or plaited bosoms. Separate cuffs. Sizes 14 to 17. B. 6 for 50c—Men's Collars, in every popular style. Materials have been shrunk. By the half dozen only. Cuffs of same quality, 75c for six pairs.

C. 60c—Men's Muslin Nightshirts, with collar or surplice neck, plain or trimmed. Sizes 14 to 18. D. 25c—Men's Plain and Fancy Silk Scarfs. Fine assortment of colors and patterns. Popular 24-inch four-in-hand style.

**50c Natural Color Dress Linen at 25c** **88c Irish Damask Table Linen at 55c** Snow-white remnants, in lengths of 2, 2 1/2 and 3 yards.

**Girls' 1908 White Lawn Dresses—Under-price** A fortunate purchase makes these price-savings: At \$1.15, regularly \$1.50—Girls' styles, trimmed with embroidery. Sizes for 6 to 14 years. At \$1.25, regularly \$1.50—Girls' styles, trimmed with embroidery. Full skirt, deep hem. Sizes for 6 to 14 years. At \$1.35, regularly \$1.75—Girls' styles, with lace and embroidery. Tucked dresses in Dutch and high neck. Sizes for 6 to 14 years.

**Handkerchiefs at Savings** Pure linen. Not a thread to hang a dozen upon even in the 5c kinds. **FOR MEN AT \$1.20 a dozen.** **FOR WOMEN AT 60c a dozen.** **75c—Plain hemstitched handkerchiefs, generous sizes.** **At \$1.25, regularly \$1.50—Hemstitched handkerchiefs, 4-inch and 5-inch hem.**

**Cotton and Woolen Dress Goods Remnants** At one-third to one-half less than regular prices. Lengths of one to eight yards—a few pieces longer. The assortment includes serge, cheviot, batiste, voile, eolienne, broadcloth, organdy, percale, dimity and lawn.

**Ribbons at Little Prices** **Wash Ribbons**—No. 1, 20c piece of 1 1/2 inches wide, in black, white, carmine, light blue and pink. No. 2, 25c piece of 1 1/2 inches wide, in black, white, carmine, light blue and pink. No. 3, 35c piece of 1 1/2 inches wide, in black, white, carmine, light blue and pink.

**Linen Doilies and Centerpieces** Yours at a small fraction of their regular values because they are small assortments: Doilies—4, 6, 8, 10, 12 inches round, at 5c, 12 1/2c, 17c, 20c, 25c, regularly 15c, 35c, 50c, 60c, 75c. Centerpieces—18 inches round, at 40c, regularly \$1.25.

**Women's Vests and Stockings And Men's Half Hose** **Women's Vests**—At 15c each, seconds of 25c grade—Winter weight, ecru cotton, fleece-lined, high neck, long sleeves. At 30c each, seconds of 50c grade—Winter weight, natural merino, fleece-lined, high neck and long sleeves. **Women's Stockings**—At 12 1/2c a pair—of medium weight, fast black cotton, seamless, reinforced heels and toes. At 18c a pair, 3 pairs for 50c—Medium weight, fast black cotton, seamless, with 12 1/2c a pair, formerly 15c a pair—Of medium weight, fast black seamless cotton, with double heels, soles and toes. At 18c a pair, seconds of 25c grade—In two styles, black seamless cashmere or Oxford, gray merino.

**\$2.50 and \$3 Umbrellas at \$1.75 and \$2.25** A special purchase of one thousand accounts for this bargain. They are 26 and 28 inch umbrellas of Union taffeta, or all offering. They are on Paragon frames, with steel rods. Fine assortment of natural wood and fancy handles. For men and women.

**50c, 75c and \$1 Stylish Belts at 38c** A manufacturer's sample line we are closing out. Mostly elastic, some steel studded. Black and colors. Buckle and back pieces to match.

**\$1.25 Cotton Filled Comfortables at 95c** In light or dark shades, full size and quilted or tufted.

**\$1.65 Fringed Bed Spreads at \$1.35** Crochet bedspreads, double-bed size, fringed all around for metal beds.